

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

VS

JANARDHAN NELLORE

LHK

NC

INDICTMENT

CR - 19 0463

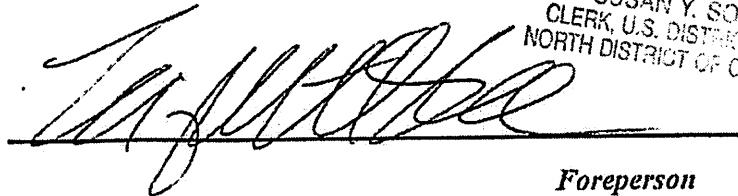
COUNTS ONE and TWO: 18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft

FILED

SEP 19 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

A true bill.


Foreperson

Filed in open court this 19 day of September A.D. 2019


United States Magistrate Judge

Bail. \$ No Warrant/Process JJ

1 DAVID L. ANDERSON (CABN 149604)
2 United States Attorney

FILED

SEP 19 2019

CR 19 04684K

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

NO

SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JANARDHAN NELLORE,

15 Defendant.

CASE NO.

VIOLATIONS:

18 U.S.C. § 1028A – Aggravated Identity Theft

18 U.S.C. §§ 981(a)(1)(C) and 28 U.S.C. § 2461(c) –
Forfeiture Allegation

SAN JOSE VENUE

18 INDICTMENT

19 The Grand Jury charges:

20 COUNT ONE: (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

21 On or about May 30, 2017, in the Northern District of California, the defendant,

22 JANARDHAN NELLORE,

23 did knowingly use, without lawful authority, the means of identification of another person, specifically,
24 the identity, date of birth, Social Security number, and brokerage account information of a person known
25 to the Grand Jury as Individual One, during and in relation to a felony violation of Title 18, United
26 States Code, Section 1349, Attempt and Conspiracy to Commit Securities Fraud, in violation of Title 18,
27 United States Code, Section 1028A(a)(1).
28

INDICTMENT

COUNT TWO: (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

On or about February 26, 2018, in the Northern District of California, the defendant,
JANARDHAN NELLORE,
 did knowingly use, without lawful authority, the means of identification of another person, specifically,
 the identity, date of birth, Social Security number, and brokerage account information of a person known
 to the Grand Jury as Individual Two, during and in relation to a felony violation of Title 18, United
 States Code, Section 1349, Attempt and Conspiracy to Commit Securities Fraud, in violation of Title 18,
 United States Code, Section 1028A(a)(1).

FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 21 U.S.C. § 2461(c))

The allegations contained in Counts One and Two of this Indictment are re-alleged and
 incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code,
 Section 981(a)(1)(C) and 21 U.S.C. § 2461(c).

Upon conviction of the offense set forth in Counts One and Two of this Indictment, the
 defendant,

JANARDHAN NELLORE,
 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and 21
 U.S.C. § 2461(c), any property, real or personal, constituting or derived from proceeds the traceable to
 violations of Title 18, United States Code, Section 1349, including but not limited to the following:

- a. A forfeiture money judgment in an amount equal to the total proceeds obtained by the
 defendant from the commission of said offenses;

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without
 difficulty,

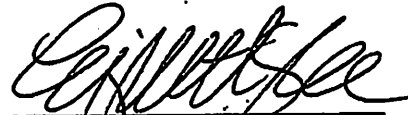
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,

1 United States Code, Section 853(p), as incorporated by Title 28 United States Code Section 2461(c).

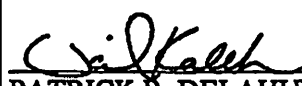
2 All pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28 United States Code
3 Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

4
5 DATED: 9-19-19

A TRUE BILL.

6
7 
8 FOREPERSON

9 DAVID L. ANDERSON
10 United States Attorney

11 
12 PATRICK R. DELAHUNTY
13 DANIEL KALEBA
14 Assistant United States Attorney

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

 COUNTS ONE and TWO:
 18 U.S.C. § 1028A(a)(1) - Aggravated Identity Theft

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

 PENALTY: For Each Count:
 Mandatory two years imprisonment
 One year supervised release
 \$250,000 fine
 \$100 special assessment fee

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

LHK

DEFENDANT - U.S.

JANARDHAN NELLORE

DISTRICT COURT NUMBER

SEP 19 2019

SUSAN Y. SOONG

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

DEFENDANT

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI S/A Meagan Sharp

☐ person is awaiting trial in another Federal or State Court,
 give name of court

☐ this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on motion
 of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.
☐ this prosecution relates to a
 pending case involving this same
 defendant
MAGISTRATE
CASE NO.
☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

519-mj-70712

Name and Office of Person

Furnishing Information on this form DAVID L. ANDERSON

☒ U.S. Attorney ☐ Other U.S. Agency

 Name of Assistant U.S.
 Attorney (if assigned)

AUSA Dan Kaleba

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior
-
- summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☒
- On this charge
-
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
-
- 6)
- ☐
- Awaiting trial on other charges
-
- If answer to (6) is "Yes", show name of institution

 Has detainer ☐ Yes
 been filed? ☐ No

 If "Yes"
 give date
 filed
DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Bail Amount:

 * Where defendant previously apprehended on complaint, no new summons or
 warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: